



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/574,369

11/22/2006

John Hillel Moshal

06-242

5723

20306

7590

07/14/2009

MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP
300 S. WACKER DRIVE
32ND FLOOR
CHICAGO, IL 60606

EXAMINER

LI, WEI

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

07/14/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/574,369	Applicant(s) MOSHAL, JOHN HILLEL	
	Examiner WEI LI	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 4, 5, 12 and 15 - 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 20030195037) and in view of Holch (US 6280328)**

3. Regarding claims 1 and 12, Vuong discloses a gaming system, comprising:

- a gaming server (Fig 1, part 124); and
- a communication network capable of providing communication between the gaming server and each one of a plurality of player stations remote from the gaming server (P19, 1 - 2), each player station being capable of rendering to a corresponding player a simulation of at least one game of chance (P11, 4 - 6) and enabling the player to place a wager on a turn of the at least one game of chance (P10. 1 - 3) characterised in that
- the gaming server records transaction data relating to each wager placed by any player on each turn of the at least one game of chance, the transaction data including at least the size of the wager, the time and date of the wager, an outcome of the turn of the game of chance, a geographic location of the player station on which the wager was placed by the player, and an outcome of the turn of the game of chance (an outcome of the turn will indicate a status of the wager, for example the

Art Unit: 3714

status being successful if the outcome of the turn of the game is a favourable outcome, and the status being unsuccessful if the outcome of the turn of the game is not a favourable outcome) (P39, 8 – 16, P12, 1 - 4)

Vuong fails to explicitly that each player station having a unique identification code and the transaction data include the time and date of the wager. Holch teaches that each player station having a unique identification code (I.e. player terminal number (I.e.100a, 100b and 100c)) (Fig 1; Col 8, 17 – 20). Holch also teaches that the transaction data include the time and date of the wager (Col 8, 17 – 20). Therefore, all the claimed elements were known in the prior art and one skilled in the art could have combined the elements by known methods for the purpose of providing a more efficient gaming facility management/player wager tracking system to the gaming operators, with no change in their respective functions, and the combination would have yielded predictable results. Furthermore, in order for the audit system describe in Voung to usefully perform that function & in order for the data to be useful in the event of a dispute between the casino and the player, Vuong's system would require a gaming system identifier & date/time stamp.

4. Regarding claims 4 and 15, Vuong also discloses that the gaming server maintains on the gaming system maintains a register of all players who utilize the gaming system to play the at least one game of chance (P31, 1-3). Vuong also discloses that the register stores, for each player, a player identity (P31, 1-3). Vuong also discloses that player identify is verified using the identification card (P31, 1-3; P 39,

Art Unit: 3714

1-7), in order for the each identification card to function properly, each card must include a unique code.

5. Regarding claims 5 and 16, Vuong also discloses the player terminal require any player to be identified before commencing play of the at least one game of chance (P41, 1-4, Fig 2). Vuong also discloses that the server maintains a log file (transaction data file) for each player (P43, 1 - 9; Fig 2), which means that each transaction/wager data file is based on (include) the identity of the player.

6. Claims 2 – 3, 10 – 11, 13 – 14 and 21 – 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 20030195037) and in view of Holch (US 6280328) and further in view of Nelson(US 6935958)

7. Regarding claims 2 and 13, Vuong discloses that the geographic location of any player station is stored in a player station database associated with the gaming server (P39, 8 – 16; the examiner is interpreting the log file as the claimed player station database). The combination of Vuong and Holch teach the invention substantially as claimed, but fail to explicitly teach the method of indexing plurality of player station according to the unique identification codes of the plurality of player stations. Nelson teaches the method of indexing plurality of player station according to the unique identification codes of the plurality of player stations (Col 10, table 1; Col 8, 48 – 49).

Therefore, all the claimed elements were known in the prior art and one skilled in the art could have combined the elements by known methods for the purpose of improving the efficiency of the gaming database operations, with no change in their respective functions, and the combination would have yielded predictable results.

Art Unit: 3714

8. Regarding claims 3 and 14, Nelson also teaches that the gaming system (I.e. a server) includes a translation table that has geographic location of any player station (I.e. the location can be the keno game area of a casino) and the unique identification code corresponding to the geographic location (I.e. ID# 1922) (Col 10, table 1 and lines 13 - 23), which means the gaming system/server can derive the geographic location of any player stations (from the player station database) by means of using the unique identification code of that player station as an index.

9. Regarding claims 10 and 21, Nelson also teaches that any player station accepts wagers in one of a number of different standard wager denominations (I.e. \$1 or \$0.25 denomination), each one of the number of different standard wager denominations being a predetermined integral (I.e. \$1) or fractional (I.e. \$0.25) number of units of credit (Col 10, table 1).

10. Regarding claims 11 and 22, Nelson also teaches that the gaming system/player station database stores, for each player station, a corresponding standard wager denomination (I.e. \$1 or \$0.25 denomination) for wagers placed by a player at that player station, the wager denomination of any particular player station being derivable from the player station database by means of the unique identification code of that player station as an index (Col 10, table 1; as shown in the table, the gaming system/player station database lists a unique identification code of a player station and the corresponding wager denomination for that station, which means that the wager denomination of any particular player station being derivable by means of using the unique identification code of that player station as an index)

Art Unit: 3714

11. Claims 6 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 20030195037) and in view of Holch (US 6280328) as applied to claim 5 and 12 above and further in view of Joao (US 20030224854)

12. Regarding claims 6 and 17, the combination of Vuong and Holch teach the invention substantially as claimed, but fail to explicitly teach an administration facility communicable with the gaming server by means of the communication network, the administration facility being configurable to determine a total gross win or loss for each individual player in the register. Joao teaches an administration facility (i.e. gaming facility computer 30) communicable with the gaming server (part 10) by means of the communication network (Fig 1; P280, 1 – 11; P46, 1 - 22). Joao also teaches that the administration facility being configurable to determine a total gross win or loss for each individual player (user) in the register (P636, 1 - 7). Therefore, all the claimed elements were known in the prior art and one skilled in the art could have combined the elements by known methods for the purpose of providing additional player wagering information to the gaming operators/improving the efficiency of a casino management system, with no change in their respective functions, and the combination would have yielded predictable results.

13. Claims 7, 9, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 20030195037) and in view of Holch (US 6280328) and Joao (US 20030224854) as applied to claim 6 and 17 above and further in view of Mothwurf (US 6712695)

Art Unit: 3714

14. Regarding claims 7 and 18, the combination of Vuong, Holch and Joao teach the invention substantially as claimed, but fail to explicitly teach that the administration facility accumulates, in an accumulation account, a proportion of all wagers placed by any player on any of the plurality of player stations whose geographic location falls within a selectable geographic area. Mothwurf teaches that a gaming system (which can include an administration facility) accumulates, in an accumulation account (I.e. jackpot account), a proportion of all wagers placed by any player on any of the plurality of player stations whose geographic location falls within a selectable geographic area (Col 13, 42 – 49; Col 12, 55 – 58). Therefore, all the claimed elements were known in the prior art and one skilled in the art could have combined the elements by known methods for the purpose of stimulating player interest/increasing casino revenue, with no change in their respective functions, and the combination would have yielded predictable results.

15. Regarding claims 9 and 20, the gaming system (I.e. administration facility) reimburses the community in respect of a total of all wagers (I.e. 5% of the total of all wagers) placed at any player station whose geographic location falls within the selectable geographic area.(Col 13, 42 – 49; Col 12, 55 – 58).

16. Claims 8 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 20030195037) and in view of Holch (US 6280328), Joao (US 20030224854) and Mothwurf (US 6712695) as applied to claim 7 and 18 above and further in view of Gerrard (US 20040048644)

Art Unit: 3714

17. Regarding claims 8 and 19, the combination of Vuong, Holch, Joao and Mothwurf teach the invention substantially as claimed, but fails to explicitly teach that the limitation of reimbursing a community of player/player stations in respect of the gross loss at all player stations in the community. Gerrard teaches the method of reimbursing a community of player/player stations in respect of the gross loss at all player stations in the community (P122, 4 - 8). Therefore, all the claimed elements were known in the prior art and one skilled in the art could have combined the elements by known methods for the purpose of providing additional rewards to players/stimulating player interest, with no change in their respective functions, and the combination would have yielded predictable results.

Response to Arguments

18. Applicant's arguments with respect to claims 1- 22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WEI LI whose telephone number is (571)270-3760. The examiner can normally be reached on M-F (alternative Friday off) 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3714

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/WL/
7/10/2009

/Corbett Coburn/
Primary Examiner
AU 3714